

## Message Text

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64

ACTION VO-03

INFO OCT-01 ARA-10 ISO-00 SCA-01 /015 W

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P 112150Z AUG 76

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC PRIORITY 8751

UNCLAS PANAMA 5605

EO 11652: N/A

TAGS: CVIS, PN

SUBJECT: ILLEGITIMATE CHILDREN OF FATHERS UNDER SECTION

101(B)(1)(B)INA.

REF: STATE 188437

1. EMBASSY HAS HAD ESTIMATED FIVE CASES OF TYPE DESCRIBED IN PARA. 4 OF REFTEL ALTHOUGH WE HAVE HAD ALMOST 200 CASES OF STEP-CHILDREN (IR-2) WHOSE STATUS WAS CREATED BY MARRIAGE OF NATURAL MOTHER TO U.S. CITIZEN FATHER.

2. PANAMA HAS A RATHER UNIQUE LAW WHICH DOES NOT RECOGNIZE ILLEGITIMACY. ALL CHILDREN BORN IN PANAMA ARE LEGITIMATE WHETHER BORN IN OR OUT OF WEDLOCK OR WHETHER OR NOT RECOGNIZED BY FATHER. NATURAL FATHER MAY RECOGNIZE PATERNITY OF CHILD BY PERSONALLY REGISTERING CHILD AT CIVIL REGISTRY OR BY MAKING A SWORN STATEMENT REGARDING PATERNITY BEFORE A COMPETENT COURT IN PANAMA, WE HAVE NOT FOUND ANY EVIDENCE OF FRAUD IN CASES ADJUDICATED.

3. GREAT POTENTIAL FRAUD EXISTS, HOWEVER, SINCE NEITHER CIVIL REGISTRY OR COURT REQUIRES ANY CORROBORATING DOCUMENTATION WITH DECLARATION OF PATERNITY. SINCE AT LEAST 60 PERCENT OF ALL CHILDREN BORN IN PANAMA ARE BORN OUT OF WEDLOCK WE FORSEE POTENTIAL PROBLEM OF SOME MAGNITUDE, IN EVENT AMENDMENT IS PASSED.

4. WE SUGGEST THAT FATHER AT LEAST BE REQUIRED TO NOT ONLY OBTAIN RECORD OF HIS ESTABLISHING PATERNITY UNDER LOCAL LAW BUT THAT HE BE REQUIRED TO SUBMIT: (1) A SWORN DECLARATION OF  
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PATERNITY (2) A DECLARATION BY THE NATURAL MOTHER THAT HE IS

FATHER OF CHILD AND (3) SOME REASONABLE PROOF THAT HE WAS  
PHYSICALLY PRESENT IN PANAMA DURING PERIOD IN WHICH CHILD  
WAS CONCEIVED.

5. EMBASSY ADJUDICATES NUMEROUS SIMILAR CASES MONTHLY OF US  
MILITARY PERSONNEL WHO WISH TO ESTABLISH PATERNITY OF CHILDREN  
FOR PURPOSES OF U.S. CITIZENSHIP. WE REQUIRE DOCUMENTATION AS  
LISTED IN PARA. 4 ABOVE AND WOULD PROPOSE THAT THIS SAME PROCEDURE  
BE FOLLOWED IN VISA CASES IN EVENT AMENDMENT BECOMES LAW.

JORDEN

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**Current Classification:** UNCLASSIFIED  
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